

LAW OFFICES  
**BLOOSTON, MORDKOFKY, DICKENS, DUFFY & PRENDERGAST**  
2120 L STREET, NW  
WASHINGTON, DC 20037

HAROLD MORDKOFKY  
BENJAMIN H. DICKENS, JR.  
JOHN A. PRENDERGAST  
GERARD J. DUFFY  
RICHARD D. RUBINO  
MARY J. SISAK  
D. CARY MITCHELL  
DOUGLAS W. EVERETTE

ARTHUR BLOOSTON  
1914 – 1999

(202) 659-0830  
FACSIMILE: (202) 828-5568

May 27, 2004

AFFILIATED SOUTH AMERICAN OFFICES

ESTUDIO JAUREGUI & ASSOCIATES  
BUENOS AIRES, ARGENTINA

ROBERT M. JACKSON  
OF COUNSEL

PERRY W. WOOFER  
LEGISLATIVE CONSULTANT

EUGENE MALISZEWSKYJ  
DIRECTOR OF ENGINEERING  
PRIVATE RADIO

## **Ex Parte**

### ***Filed Electronically***

Marlene H. Dortch, Secretary  
Office of the Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

**Re: CC Docket Nos. 96-45; 01-92; 95-116**

### **EX PARTE NOTICE**

Dear Ms. Dortch:

On May 26, 2004, the individuals from various South Dakota telephone companies and certain of their customers, identified in Exhibit A, met with Commissioner Jonathan S. Adelstein, his advisors Johanna Mikes Shelton and Scott Bergman, Commissioner Michael J. Copps, and his advisor Jessica Rosenworcel, to discuss the impact of the Commission's current and pending proceedings on universal service, intercarrier compensation and local number portability on rural telephone companies.

A PowerPoint presentation was given, a copy of which is attached. Discussed was information regarding the service area demographics and the advanced networks of South Dakota telecommunications companies. Universal service funding issues were discussed, including: (1) ETC designation and obligations; and (2) the appropriate method of determining USF distributions where multiple ETCs have been designated.

The attendees discussed rural telecom industry priorities relative to intercarrier compensation reform, including: (1) the failure of "Bill and Keep" to recognize rural cost challenges; and (2) the importance of maintaining access charges. Also discussed were wireline to wireless LNP issues, including: (1) cost vs benefits (lack of demand) of intermodal LNP; (2) traffic routing concerns including "query" obligations where necessary to route local traffic; and (3) transport obligation issues.

Consistent with section 1.1206 of the Commission's rules, 47 C.F.R. §1.1206, one copy of this notice is being filed electronically in the above-captioned proceedings. Please direct any questions concerning the above matter to the undersigned at (202) 659-0830.

Sincerely,

/s/ Benjamin H. Dickens, Jr.  
Benjamin H. Dickens, Jr.

Attachments

cc: Commissioner Jonathan S. Adelstein  
Commissioner Michael J. Copps  
Scott Bergmann  
Johanna Mikes Shelton  
Jessica Rosenworcel

## **EXHIBIT A**

Richard Coit, Executive Director, South Dakota Telecommunications Association, Inc.  
Greg Dean, employee, South Dakota Telecommunications Association, Inc.  
George Standell, Manager Golden West Telecommunications Cooperative  
Greg Oleson, employee - Golden West Telecommunications Cooperative  
Dwight Flatt, employee - Golden West Telecommunications Cooperative  
Jim Jacobs, employee - Golden West Telecommunications Cooperative  
Paul Iron Cloud, Board member - Golden West Telecommunications Cooperative  
Randy Houdek, Manager Venture Communications Cooperative  
Rod Bowar - Manager Kennebec Telephone Company  
Jerry Reisenauer, Manager West River Cooperative Telephone Company  
Gene Kroell, Manager Santel Communications Cooperative  
Fay Jandreau - employee - Midstate Communications, Inc.  
J.D. Williams - Manager - Cheyenne River Sioux Tribe Telephone Authority  
Mona Thompson - employee - Cheyenne River Sioux Tribe Telephone Authority  
Keith Gesinger - Board Member - Cheyenne River Sioux Tribe Telephone Authority  
Ardis Warcloud - Board Member - Cheyenne River Sioux Tribe Telephone Authority  
Mick Grosz - Manager - West River Telecommunications Cooperative  
Wayne Ahlgren - Regional Representative - RUS

# South Dakota: Our Telecommunications Success and Challenges

A presentation for FCC Chairman  
Michael Powell and FCC  
Commissioner Jonathan Adelstein  
May 25, 2004



Welcome to South Dakota...

The land of Mount Rushmore..

Crazy Horse Monument...AND

Some of the nation's most  
advanced

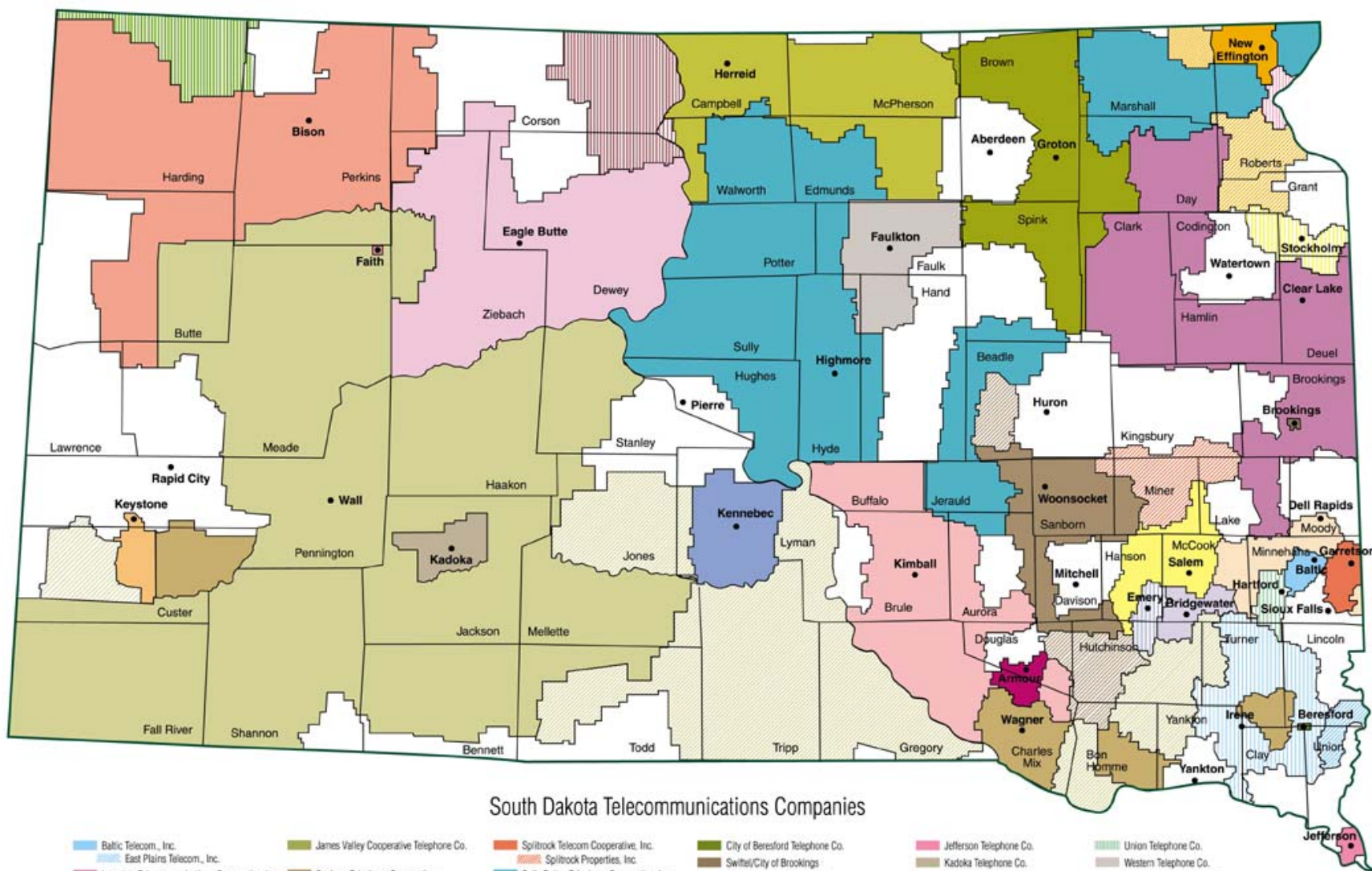
telecommunications  
infrastructure



# South Dakota Telecommunications Association

- 29 member companies
  - 12 member-owned cooperatives
  - 13 privately-owned companies
  - 3 municipal companies
  - 1 tribally-owned company





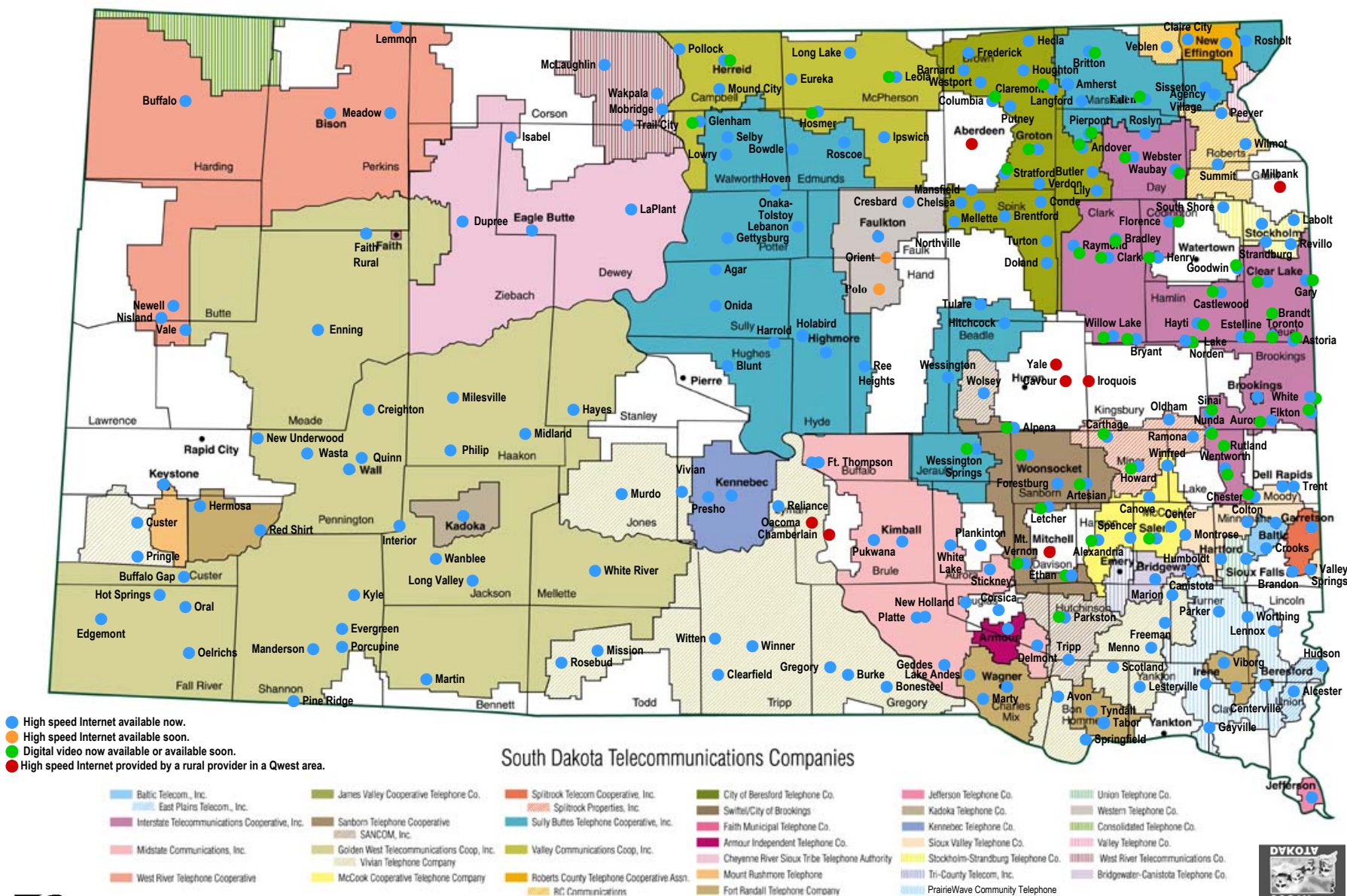
# South Dakota Telecommunications Association

- Collectively serve:
  - 79.5% of South Dakota (more than 61,000 sq. miles)
  - Serve all or parts of 8 of 9 Native American reservations
  - 152,000 access lines
  - More than 5,000 miles of buried fiber
  - Nearly 250 communities with broadband access
  - 49 communities with VDSL





# High Speed Internet & Digital Video Availability in SD



# South Dakota Telecommunications Association

- Joint ownership of SDN Communications
  - Network operations center and marketing arm for South Dakota's fiber backbone
  - Three (3) SONET rings across South Dakota offer unmatched redundancy and security
  - State of the art technology available in some places that aren't even on the map



# South Dakota Telecommunications Association

Challenges:  
We got 'em



# South Dakota Telecommunications Association

- Mostly serve small towns and rural areas
  - Largest communities we serve are Brookings (pop. 18,504), Hot Springs (pop. 4,129) and Winner (pop. 3,137)
  - 27 South Dakota counties bigger than state of Rhode Island
  - Average: 2.17 access lines/sq. mile served
  - Population density of counties served by SDTA member: 4 people/sq. mile
    - 11 counties have less than 2 people/sq. mile

(sources: U.S. Census Bureau and SD Public Utilities Commission)



# South Dakota Telecommunications Association

- Aging population
  - 29 counties we serve have a median age in excess of 40.0 years
    - SD projected to have 21.6% population over age 65 by 2025 (9<sup>th</sup> highest proportion in US)

(sources: U.S. Census Bureau )



# South Dakota Telecommunications Association

- Income levels
  - 42 of the counties we serve have poverty rates ranging from 10.0% to 42.0%

(sources: U.S. Census Bureau)



# South Dakota Telecommunications Association

- SDTA member companies bring the world closer to tribal and rural areas of South Dakota
  - Health Care: Telemedicine support to rural hospitals and outlying clinics
  - Education: Digital Dakota Network brings world class education and instruction to small, rural schools
  - Economic Development: Access to markets and information



# South Dakota Telecommunications Association

So...

What are our top  
issues?





# South Dakota Telecommunications Association

- Universal Service support
  - Sparsely populated states like South Dakota are dependent on Universal Service to keep service affordable and up-to-date
  - Even with advent of Internet telephony, infrastructure must be deployed and maintained
  - Delivery of next generation services won't happen if all costs are borne by end user



# South Dakota Telecommunications Association

- Universal Service Fund Distributions (USF Portability)
  - Action on Federal-State Joint Board recommendations?
  - “Primary Line” restriction undermines universal service objectives
  - “Public Interest” criteria, consistent with Congressional intent, must give recognition to limited economies in certain rural areas
  - All ETCs should have same universal service obligations
  - “Competitive neutrality” principle requires recognition of different carrier costs and differences in universal service obligations



# South Dakota Telecommunications Association

- Inter-carrier Compensation
  - Inter-carrier compensation NPRM?
  - “Bill and Keep” fails to recognize rural cost challenges
  - Some type of “access charge” must be retained to maintain affordable end user rates and to allow for continued network investment
  - All carriers should pay fair share for use of network facilities



Thank you for  
coming to South  
Dakota!



We would welcome  
your thoughts and  
input!

